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On October 21, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

JoAnn Evangelista
JoAnn Evangelista

PATENT

Attorney Docket No.: 02307U-132310US
Client Ref. No.: NEOME-015A

RECEIVED

OCT 28 2004

TECHNOLOGY CENTER R3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GEORGE BAERVELDT et al.

Application No.: 10/052,473

Filed: January 18, 2002

For: MINIMALLY INVASIVE
GLAUCOMA SURGICAL
TREATMENT AND METHOD

Customer No.: 20350

Confirmation No. 7905

Examiner: FARAH, AHMED M

Technology Center/Art Unit: 3739

**RESPONSE TO
RESTRICTION/ELECTION OF
SPECIES REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction/Election of Species Requirement mailed June 18, 2004, Applicant hereby elects without traverse to prosecute Group 1 (claims 1-48, 56-83, 88-103 and 117).